

## **NOTICE AND AGENDA**

**SUNNYVALE CITY COUNCIL  
TUESDAY, NOVEMBER 17, 2009  
COUNCIL CHAMBERS  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

### **7 P.M. COUNCIL MEETING**

*Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.*

### **CALL TO ORDER**

### **SALUTE TO THE FLAG**

### **ROLL CALL**

### **SPECIAL ORDER OF THE DAY**

### **PUBLIC ANNOUNCEMENTS**

*Each speaker is limited to three minutes for announcements of community events, programs, or recognition.*

### **CONSENT CALENDAR**

- |      |        |  |
|------|--------|--|
| 1.A. | MOTION | Approval of Council Meeting Minutes of October 20, 2009            |
| 1.B. | MOTION | Approval of Council Meeting Minutes of October 27, 2009            |
| 1.C. | MOTION | Approval of Information/Action Items – Council Directions to Staff |

*Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5.*

### **Fiscal Items**

- 1.D. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 09-283 Nos. 477, 478, & 479

Staff Recommendation: Review the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7418

### **Contracts**

- 1.E. MOTION Award of Contract for Seven Service Trucks (F0910-33)  
RTC 09-285

Staff Recommendation: Award a contract in the amount of \$124,103 to Serramonte Ford for seven service trucks.

Staff Contact: Pete Gonda, (408) 730-7418

- 1.F. MOTION Award of Contract for Liquid Chlorine and Liquid Sulfur Dioxide (F0909-  
RTC 09-284 28)

Staff Recommendation: Award a one-year contract in an amount not to exceed \$202,748, to Sierra Chemical Company of Sparks, Nevada.

Staff Contact: Pete Gonda, (408) 730-7418

### **Contracts: Sunnyvale Works!**

- 1.G. MOTION Approve an On-call Contract for Construction Management and Support  
RTC 09-286 Services in Conjunction with Sunnyvale Works! Projects (F0911-43)

Staff Recommendation: Award a six-month contract to CSG Consultants, Inc. in an amount not to exceed \$341,250.

Staff Contact: Pete Gonda, (408) 730-7418

### **Other Items**

- 1.H. ORDINANCE Adoption of Ordinance No. 2905-09 Amending Certain Sections and/or  
No. 2905-09 Tables of Title 19 (Zoning) of the Sunnyvale Municipal Code to Make  
Minor Corrections or Modifications for Accuracy and/or Clarity; and  
Amending Certain Sections of Title 9 (Public Peace, Safety or Welfare),  
Title 10 (Vehicles and Traffic) and Title 19 (Zoning) of the Sunnyvale  
Municipal Code to Delete the Outdated Words "Design Permit"

Staff Recommendation: Approve the second reading of Ordinance No. 2905-09

Staff Contact: David Kahn, City Attorney (408) 730-7464

### **STAFF RESPONSES TO PRIOR PUBLIC COMMENTS**

*Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.*

## **PUBLIC COMMENTS**

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

## **PUBLIC HEARINGS/GENERAL BUSINESS**

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2.     RESOLUTION     Resolution Forming Wolfe Road Underground Utility District – Public  
       RTC 09-282     Hearing

Staff Recommendation: Alternative No. 1: Approve the resolution forming the Wolfe Road Underground Utility District.

Staff Contact: Mark Rogge, (408) 730-7426

3.     ORDINANCE     2009-0074 Limitations on Signage for Alcohol Sales (Study Issue)  
       RTC 09-281

Staff Recommendation: Introduce an ordinance to amend Title 19 (Zoning) to create definitions for liquor store and public school site and to amend the Commercial Zoning District Tables to Prohibit liquor stores in a C-1 Zone and located within 200 feet of a public school site.

Staff Contact: Andrew Miner, (408) 730-7707

4.     ORDINANCE     Adoption of Ordinance No. 2906-09 Amending Certain Sections of  
       No. 2906-09     Chapters 19.20 (Commercial Zoning Districts), 19.22 (Industrial Zoning  
                              Districts), 19.24 (Office and Public Facilities Zoning Districts), 19.28  
                              (Downtown Specific Plan), 19.29 (Moffett Park Specific Plan), 19.44  
                              (Signs), 19.48 (Fences, Distances Between Buildings and Extensions  
                              Into Yards), 19.54 (Wireless Telecommunication Facilities), 19.88 (Use  
                              Permits), and 19.90 (Special Development Permits), of Title 19 (Zoning)  
                              of the Sunnyvale Municipal Code Relating to Streamlining Processes

Staff Recommendation: Approve the second reading of Ordinance No. 2906-09

Staff Contact: David Kahn, City Attorney (408) 730-7464

5.     ORDINANCE     Adoption of Ordinance No. 2907-09 Amending Certain Sections of  
      No. 2907-09     Chapters 19.12 (Definitions), 19.18 (Residential Zoning Districts), 19.28  
                          (Downtown Specific Plan District), 19.34 (Front, Side And Rear Yards),  
                          19.40 (Accessory Utility Buildings), 19.42 (Operating Standards), 19.48  
                          (Fences, Distances Between Buildings and Extensions Into Yards), 19.68  
                          (Mobile and Accessory Living Units), 19.82 (Miscellaneous Plan Permit),  
                          and 19.88 (Use Permits) of Title 19 (Zoning) of the Sunnyvale Municipal  
                          Code Pertaining to Accessory Structures—Sheds

Staff Recommendation: Approve the second reading of Ordinance No. 2907-09.

Staff Contact: David Kahn, City Attorney (408) 730-7464

6.     ORDINANCE     Adoption of Ordinance No. 2908-09 Amending Certain Sections of  
      No. 2908-09     Chapters 19.12 (Definitions); 19.32 (Building Heights, Lot Coverages and  
                          Floor Area Ratios); 19.80 (Design Review); and 19.98 (General  
                          Procedures) of Title 19 (Zoning) of the Sunnyvale Municipal Code  
                          Pertaining to Single-Family Homes

Staff Recommendation: Approve the second reading of Ordinance No. 2908-09.

Staff Contact: David Kahn, City Attorney (408) 730-7464

7.     ORDINANCE     Adoption of Ordinance No. 2909-09 Amending Certain Sections of  
      No. 2909-09     Chapter 19.34 (Front, Side and Rear Yards) of Title 19 (Zoning) of the  
                          Sunnyvale Municipal Code Pertaining to Single-Family Homes

Staff Recommendation: Approve the second reading of Ordinance No. 2909-09.

Staff Contact: David Kahn, City Attorney (408) 730-7464

8.     MOTION         Council Nomination for Consideration of Appointment to VTA Board of  
      RTC 09-280     Directors Representing Small Cities Group 2

Staff Recommendation: Nominate one Councilmember for consideration of appointment to  
the VTA Board of Directors to represent Small Cities Group 2.

Staff Contact: Yvette Blackford, (408) 730-7536

9.     COUNCIL         Recognition of the City's Candidate Forum Moderator Sharon Kreider  
      DISCUSSION

Recommendation: Discussion and possible action to recognize the City's Candidate Forum  
Moderator Sharon Kreider.

Contact: Councilmember John Howe, (408) 730-7473

## **COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

### **NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

**INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Parks & Recreation Commission Meeting of October 14, 2009
- Draft Minutes of the Arts Commission Meeting of October 21, 2009
- Draft Minutes of the Board of Library Trustees Meeting of November 2, 2009.
- Draft Tentative Council Meeting Agenda Calendar (TCMAC) for 2010

**ADJOURNMENT**

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**Notice to the Public:**

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

## **GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

### **Public Announcement – Beginning of Council Meeting**

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis (only announce one time).

### **Public Hearing – Order of Hearing as Follows:**

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

### **Public Comments**

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by the Council. Individuals are limited to one appearance during this section.

### **Planning a presentation for a City Council/Planning Commission meeting?**

To assist you in utilizing the technology available in the Council Chamber, the publication "*How to Make Your Council Chamber Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chamber prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

### **Planning to present materials to Council?**

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

### **SCHEDULED COUNCIL MEETINGS**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>		<b>PLACE</b>
Nov. 17, 2009	Council Meeting	7	PM	Council Chambers
Nov. 24, 2009	Council Meeting	7	PM	Council Chambers
Dec. 1, 2009	Council Meeting	7	PM	Council Chambers
Dec. 8, 2009	Council Meeting	7	PM	Council Chambers
Dec. 15, 2009	Council Meeting	7	PM	Council Chambers
Jan. 5, 2009	Council Meeting	7	PM	Council Chambers

### **OTHER SCHEDULED MEETINGS**

Nov. 16, 2009	Personnel Board	5	PM	Council Chambers
Nov. 18, 2009	Arts Commission	7	PM	Council Chambers
Nov. 18, 2009	Housing and Human Services Comm.	7	PM	West Conference Rm.
Nov. 19, 2009	Bicycle and Pedestrian Advisory Comm.	6:30	PM	West Conference Rm.
Nov. 23, 2009	Planning Commission Study Session	7	PM	West Conference Rm
Nov. 23, 2009	Planning Commission Public Hearing	8	PM	Council Chambers
Nov. 25, 2009	Administrative Hearing	2	PM	West Conference Rm
Dec. 2, 2009	Heritage Preservation Commission	7	PM	West Conference Rm
Dec. 7, 2009	Board of Library Trustees	7	PM	Library Program Rm A
Dec. 9, 2009	Parks and Recreation Commission	7	PM	Council Chambers
Dec. 14, 2009	Planning Commission Study Session	7	p.m.	West Conference Rm
Dec. 14, 2009	Planning Commission Public Hearing	8	p.m.	Council Chamber
Dec. 16, 2009	Administrative Hearing	2	p.m.	West Conference Rm
Dec. 16, 2009	Housing & Human Services Commission	7	p.m.	West Conference Rm
Dec. 16, 2009	Arts Commission	7	PM	Council Chambers
Dec. 21, 2009	Personnel Board	5	PM	Council Chambers
Jan. 13, 2010	Parks and Recreation Commission	7	PM	Council Chambers
Jan. 20, 2010	Arts Commission	7	PM	Council Chambers
Feb. 10, 2010	Parks and Recreation Commission	7	PM	Council Chambers
Feb. 17, 2010	Arts Commission	7	PM	Council Chambers

### **CHANNEL 15 – KSUN**

For a complete schedule of KSUN-15 broadcasts, visit [KSUN.inSunnyvale.com](http://KSUN.inSunnyvale.com)

Nov. 17, 2009	City Council Meeting – Live	7	PM
Nov. 18, 2009	City Council Meeting – Replay of Nov. 17, 2009	7	PM
Nov. 22, 2009	City Council Meeting – Replay of Nov. 17, 2009	4	PM
Nov. 24, 2009	City Council Meeting – Live	7	PM
Nov. 25, 2009	City Council Meeting – Replay of Nov. 24, 2009	7	PM
Nov. 29, 2009	City Council Meeting – Replay of Nov. 24, 2009	4	PM
Dec. 1, 2009	City Council Meeting – Live	7	PM
Dec. 2, 2009	City Council Meeting – Replay of Dec. 1, 2009	7	PM
Dec. 6, 2009	City Council Meeting – Replay of Dec. 1, 2009	4	PM
Dec. 8, 2009	City Council Meeting – Live	7	PM
Dec. 9, 2009	City Council Meeting – Replay of Dec. 8, 2009	7	PM
Dec. 13, 2009	City Council Meeting – Replay of Dec. 8, 2009	4	PM
Dec. 15, 2009	City Council Meeting – Live	7	PM
Dec. 16, 2009	City Council Meeting – Replay of Dec. 15, 2009	7	PM
Dec. 20, 2009	City Council Meeting – Replay of Dec. 15, 2009	4	PM